

REMARKS

This reply is in response to the Non-Final Office Action mailed on June 02, 2008 in which Claims 1-14, 16-20, 22, 23, 25-29 and 31 were rejected. With this response, Claim 8 has been amended and claim 12 has been canceled. Claims 1-11, 13-14, 16-20, 22, 23, 25-29 and 31 are presented for reconsideration and allowance. Applicants respectfully submit that the present application is in condition for allowance. Favorable reconsideration of the application in light of the following remarks is respectfully requested.

I. Rejection of claims 1-14, 16-20, 22, 23, 25-29 and 31 under 35 USC 102(e) in anticipation of Battles et al. (U.S. Pub. 2004/0095480)

Claims 1-11, 13-14, 16-20, 22, 23, 25-29 and 31 have been rejected under 35 USC 102(e) as being anticipated by Battles et al. U.S. Pub. 2004/0095480. Applicants respectfully assert that the rejection of such claims based upon Battles is without merit and should be withdrawn.

Applicants assert that Battles does not anticipate claim 1 because Battles fails to teach designating a “displayed image as a favorite image.” Fig. 2, 3, 4, 6 and 7 and paragraph [0023] of the present invention disclose that a digital camera may enable “a user to designate a captured image as a favorite image” by “selecting an option displayed on the digital camera’s display screen.”

Battles does not disclose that a displayed image may be designated as a favorite image by selecting an option displayed on the digital camera’s display screen. As seen in Fig. 3A, 3B, 3C, 3D, and 5 and paragraph [0026] – [0028] of Battles, the digital camera may have a display screen that may display a menu for the user to select setting options. Paragraph [0032] of Battles further discloses that setting options may further include “quality level” setting options, including “GOOD,” “BETTER,” and “BEST.” However, paragraph [0036] of Battles defines the “GOOD” setting as producing lower quality images that may have dimensions “up to 10x15 cm” and use less memory than the “BETTER” setting and the “BETTER” setting as producing “high-quality images” that may have dimensions “up to 13x18 cm” and use “less memory than the BEST setting.”

The GOOD and BETTER options for the “quality level” settings options are not designating an image as a “favorite image,” they are defining the resolution of the image in terms of dimensions and the amount of memory used in storing the image. Nowhere in Battles is it disclosed that a displayed image may be designated as a favorite image by selecting an option displayed on the digital camera’s display screen. As a result, Battles does not anticipate independent claim 1 because Battles fails to teach that a digital camera may enable “a user to designate a captured image as a favorite image” by “selecting an option displayed on the digital camera’s display screen.” Applicant respectfully requests withdrawal of the rejection of independent claim 1 and dependent claims 2-7, as being dependent on independent claim 1.

Additionally, Applicants assert that Battles does not anticipate claim 8, because Battles fails to disclose “receiving a second user input corresponding to an option to view favorite images” and “displaying the image responsive to the second user input.”

Battles does not disclose that a second user input may correspond to an option to view favorite images and the favorite image may be displayed responsive to the second user input. As noted in the argument above for independent claim 1, the GOOD and BETTER options for the “quality level” settings options are not designating an image as a “favorite image,” they are defining the resolution of the image in terms of dimensions and the amount of memory used in storing the image. Nowhere in Battles is it disclosed that a displayed image may be designated as a favorite image by selecting an option displayed on the digital camera’s display screen. The images in Battles are thus not labeled as “favorite” since no “favorite” classification is available. When a DISPLAY option input is received, in Battles [0028], the images shown by the display 140 are not images that have been labeled as favorite. As a result, Battles fails to disclose “receiving a second user input corresponding to an option to view favorite images” and “displaying the image responsive to the second user input.” Applicant respectfully requests withdrawal of the rejection of independent claim 8 and dependent claims 9-11, as being dependent on independent claim 8.

Additionally, Applicants assert that Battles does not anticipate claim 13, because Battles fails to disclose “designating the plurality of images as favorite images responsive to the plurality of respective user inputs.”

As noted above in the arguments for independent claims 1 and 8, Battles does not disclose that a displayed image may be designated as a favorite image by selecting an option displayed on the digital camera's display screen. As seen in Fig. 3A, 3B, 3C, 3D, and 5 and paragraph [0026] – [0028] of Battles, the digital camera may have a display screen that may display a menu for the user to select setting options. Paragraph [0032] of Battles further discloses that setting options may further include “quality level” setting options, including “GOOD,” “BETTER,” and “BEST.” However, paragraph [0036] of Battles defines the “GOOD” setting as producing lower quality images that may have dimensions “up to 10x15 cm” and use less memory than the “BETTER” setting and the “BETTER” setting as producing “high-quality images” that may have dimensions “up to 13x18 cm” and use “less memory than the BEST setting.” Selecting the GOOD and BETTER options for the “quality level” settings options are not designating an image as a “favorite image,” they are defining the resolution of the image in terms of dimensions and the amount of memory used in storing the image. Nowhere in Battles is it disclosed that a displayed image or a plurality of images may be designated as a favorite image by a user input or a plurality of user inputs on the digital camera's display screen. The images in Battles are thus not labeled as “favorite” since no “favorite” classification is available. As a result, Battles does not anticipate claim 13, because Battles fails to disclose “designating the plurality of images as favorite images responsive to the plurality of respective user inputs.” Applicant respectfully requests withdrawal of the rejection of independent claim 13 and dependent claims 14 and 16, as being dependent on independent claim 13.

In addition, Applicants assert that Battles does not anticipate claim 17, because Battles fails to disclose a display configured to “display a favorites menu option.” As shown through Fig. 3 and paragraph [0034] of the present invention, the favorites menu 300 is a menu that may have the option and ability to view-favorites, add-to-favorites, and delete-from-favorites. Nowhere in Battles is it disclosed that a favorites menu option may be displayed on the screen and include the option or ability to view favorites, add to favorites, and delete from favorites. As a result, Battles does not anticipate claim 17, because Battles fails to disclose a display configured to “display a favorites menu

option.” Applicant respectfully requests withdrawal of the rejection of independent claim 17 and dependent claims 18-20, as being dependent on independent claim 17.

In addition, Applicants assert that Battles does not anticipate claim 22, because Battles fails to disclose that the processor is programmed to “designate a plurality of images as favorite images.” As noted above in the arguments for independent claims 1, 8, and 13, Battles does not disclose that a displayed image or a plurality of display images may be designated as a favorite image by selecting an option displayed on the digital camera’s display screen. Nowhere in Battles is it disclosed that a displayed image or a plurality of images may be designated as a favorite. The images in Battles are thus not labeled as “favorite” since no “favorite” classification is available. As a result, Battles does not anticipate claim 22, because Battles fails to disclose “designating the plurality of images as favorite images.” Applicant respectfully requests withdrawal of the rejection of independent claim 22 and dependent claims 23 and 25-27, as being dependent on independent claim 22.

Additionally, Applicants assert that Battles does not anticipate claim 28, because Battles fails to disclose “designating the plurality of images as favorite images responsive to the plurality of respective user inputs.”

As noted above in the argument for independent claim 13, Battles does not disclose that a displayed image may be designated as a favorite image by selecting an option displayed on the digital camera’s display screen. Selecting the GOOD and BETTER options for the “quality level” settings options are not designating an image as a “favorite image,” they are defining the resolution of the image in terms of dimensions and the amount of memory used in storing the image. Nowhere in Battles is it disclosed that a displayed image or a plurality of images may be designated as a favorite image by a user input or a plurality of user inputs on the digital camera’s display screen. The images in Battles are thus not labeled as “favorite” since no “favorite” classification is available. As a result, Battles does not anticipate claim 13, because Battles fails to disclose “designating the plurality of images as favorite images responsive to the plurality of respective user inputs.” Applicant respectfully requests withdrawal of the rejection of independent claim 28 and dependent claims 29 and 31, as being dependent on independent claim 28.

II. Conclusion

Claims 1-11, 13-14, 16-20, 22, 23, 25-29 and 31 are now pending in this application. Applicants believe that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 08-2025. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 08-2025. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicants hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 08-2025.

Respectfully submitted,

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